UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,135	04/24/2001	Diane L. Peterson	ATTA-25,441	5992

25883 7590 11/19/2004		EXAMINER
HOWISON & ARNOTT, L.L.P		CHO, HONG SOL

ART UNIT	PAPER NUMBER
2662	

HOWISON & ARNOTT, L.L.P
P.O. BOX 741715
DALLAS, TX 75374-1715

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/841,135	PETERSON, DIANE L.
	Examiner	Art Unit	
	Hong Cho	2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-46* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-3,5,15-17,28-30,32 and 42-46* is/are rejected.

7) ☒ Claim(s) *4, 6-14, 18-27, 31, and 33-41* is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *24 April 2001* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *01222004*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Specification

1.   The abstract of the disclosure is objected to because it includes the title of the invention.

Correction is required. See MPEP § 608.01(b).

Claim Objections

2.   Claim 1 is objected to because of the following informalities:

Re claim1, "in the master system format" in line 11 should be replaced with "in the

master space format".

Re claim1, "transmission" in line 16 should be deleted.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
> any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
> requirements of this title.

4.   Claims 42-46 are rejected under 35 U.S.C. 101 because the claimed invention is directed

to non-statutory subject matter since they disclose a structure of a packet data.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(b) that form

the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.   Claims 1-3, 5, 15-17, 28-30, 32, and 42 are rejected under 35 U.S.C. 102(b) as being

unpatentable over Barzegar et al (U.S 5894478), hereinafter referred to as Barzegar.

Re claim 1, Barzegar discloses communication between ATCS fixed communication

device (*a first system with a first conversion system,* figure 1; column 4, lines 41-45) and

ATCS wireless communication device using the CDPD (*a second system with a second*

conversion system, figure 1) with a network gateway and a router or a protocol converter

(*master information system,* figure 1, elements 104, 106; figure 3, element 300).

Barzegar discloses converting user data from a wireless communication device to the

wireless data network protocol frame, an ATCS frame (*converting in a first conversion*

operation a first information format generated at the first system to a master space

format, column 3, lines 17-19; figure 4, element 403) and routing an ATCS frame to the

protocol converter (*transmitting the first converted information to a master information*

system, column 5, lines 25-26). Barzegar discloses converting an ATCS frame to a

CDPD frame (*converting the information transmitted from the master space format to a*

second information format in a second conversion system, column 5, lines 28-30) and

routing a CDPD frame to a wireless communication system (*routing the second*

converted information to the second system, column 5, lines 30-32).

Re claims 15 and 28, Barzegar discloses converting user data to an ATCS frame

(*generating first information at the first system in a first information format that is native*

to the first system and converting the first generated information to a master space

format, column 5, lines 20-23) and converting user data to a CDPD frame (*generating second information at the second system in a second information format that is native to the second system and converting the second generated information to a master space format*, column 5, lines 5-7). Barzegar discloses routing an ATCS frame and a CDPD frame to the protocol converter (*routing the first and second converted information to the master information system*, column 5, lines 8-10; lines 25-26). Barzegar discloses a protocol converter or a router or a network gateway converting an ATCS frame to a CDPD frame and converting a CDPD frame to an ATCS frame (*processing the received first and second converted information in the master system format in accordance with a predetermined processing algorithm to provide a result*, column 5, lines 20-23; lines 39-42).

Re claims 2, 16, and 29, Barzegar discloses a CDPD frame or ATCS frame (*the master space format*) with user data (*universal format*) that a CDPD frame is processed at the first system and an ATCS frame is processed at the second system (*unlike information in unlike formats between the first and second system can be made compatible with the other of the first and second systems*, column 5, lines 5-7; lines 20-23).

Re claims 3, 17, and 30, Barzegar discloses converting user data to an ATCS frame (*the first information format comprises a first data at the first system*, column 5, lines 20-23) and a CDPD frame (*the second information format comprises a second data at the second system*, column 5, lines 5-7) and an ATCS frame and a CDPD frame have their own frame format (*the master format comprises a master data format*, figure 4, elements 401 and 402).

Re claims 5 and 32, Barzegar discloses extracting user data from the CDPD frame

received at the router (*modifying the first converted information prior to converting it to*

the second converted information system, column 5, lines 35-42).

Re claim 42, Barzegar discloses a data packet with user ID (*a packet of data of a finite*

data length that uniquely identifies some element or object, column 5, lines 35-37), that is

associated with a user profile in a mobile database (*the unique value associated with a*

relational database and information therein that further defines the element or object and

to which said unique value points), and timestamp that indicates when the packet was

created.

Allowable Subject Matter

7.   Claims 4, 6-14, 18-27, 31, and 33-41 are objected to as being dependent upon a rejected

base claim, but would be allowable if rewritten in independent form including all of the

limitations of the base claim and any intervening claims.

The following is an examiner's statement for reasons for allowance.

8.   Claims 4, 6-14, 18-27, 31, and 33-41 are allowable over the prior art of record since the

cited references taken individually or in combination fails to particularly disclose

performing packet conversion operations with the relational database where the unique

value in the finite length data packet associated with a classification system is utilized for

modifying the information received from the first and second system and converting it to

the predetermined data structure format with a predetermined modification algorithm.

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

*   US Patent (6598167) to Devine et al discloses secure customer interface for web

    based data management

*   US Patent (6101189) to Tsuruoka discloses gateway apparatus and packet routing

    method

*   US Patent (6111893) to Volftsun discloses universal protocol conversion

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Hong Cho whose telephone number is 571-272-3087.

The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-3088.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Hong Cho
Patent Examiner
11-09-2004

RICKY NGO
PRIMARY EXAMINER